

Comment on DNREC Docket #2019-P-W-0025
(Permit Application by NaturaLawn of America, Inc. for Sludge
Distribution and Marketing)

TO: Theresa Newman
DNREC Hearing Officer

November 13, 2019

Dear Ms. Newman,

The League of Women Voters believes that natural resources should be conserved and protected to assure their future availability. Pollution of these resources should be controlled in order to preserve the physical, chemical and biological integrity of ecosystems and to protect public health.

Using bio-solids as fertilizers represents a possible beneficial reuse of materials that contain valuable resources including nitrogen and phosphorous. Such a program could provide a way to conserve these valuable resources.

At the same time, however, we must be sure that the application of bi-solids in Delaware does not end up contaminating one of our most threatened resources – our groundwater.

Analysis of Bio-Solids

The results of analysis of bio-solid samples from Pace Analytical show quite high concentrations for some toxic metals and metalloids including¹ chromium, molybdenum, mercury, arsenic and selenium. Such readings do not seem consistent with sewage sludge derived

¹ see letter of August 6, 2019 from Cindy Varga, project manager at Pace Analytical to Cletus Ketter of Veolia, North America.

from purely residential sewage and suggests that this sludge includes waste from industrial and manufacturing processes. As such, it seems unwise for it to be used as a lawn fertilizer or in areas that could be used for home gardens. It is our understanding that sludge obtained from the Wilmington Sewage treatment plant, which also contains some industrial components, has been deemed inappropriate for such uses.

The samples were also found to contain very high levels of phthalates, polychlorinated biphenyls (PCBs) and polyaromatic hydrocarbons (PAHs). Allowing deposition of these toxic and carcinogenic materials to lawns where children and house pets play could present serious health issues.

Conclusions

The use of bio-solids containing high levels of toxic and carcinogenic materials as a component in lawn fertilizer seems inherently unwise, even when this component is relatively small. Repeated application of such a fertilizer could cause lawns and gardens to build up unacceptable levels of relatively insoluble toxins such as PAHs and mercury, while adding to groundwater contamination by more soluble contaminants.

It also does not make sense to us that NaturaLawn wants to import this sludge into Delaware from Chicago. The groundwater in Delaware is already suffering from contamination from a number of agricultural and industrial processes and we have our own problems with safe disposal of sewage sludge.

Finally, the application appears to be incomplete in that many relevant questions have not been answered. While material relevant to these questions may be found in additional documents supplied by the

applicant, it is the applicant's duty to properly complete the application making reference to the documents as appropriate. It is unclear to us why this application was considered administratively complete.

On the basis of the application as it stands, we believe that issuing this permit would be detrimental to Delaware's environment. However we believe that no decision should be made on the basis of this application. This case should not be heard until the application is properly completed. Delawareans who are concerned about their environment deserve to receive an application that follows the rules and optimizes their opportunity to properly understand the issues involved.

Sincerely yours,